

MINUTES

MONTANA HOUSE OF REPRESENTATIVES 60th LEGISLATURE - REGULAR SESSION

COMMITTEE ON TAXATION

Call to Order: By Chairman Bob Lake, on March 9, 2007 at 8:00 A.M., in Room 152 Capitol.

ROLL CALL

Members Present:

Rep. Bob Lake, Chairman (R)
Rep. Jill Cohenour, Vice Chairman (D)
Rep. Jon Sonju, Vice Chairman (R)
Rep. Mark Blasdel (R)
Rep. Edward B. Butcher (R)
Rep. Ron Erickson (D)
Rep. Wanda Grinde (D)
Rep. Robin Hamilton (D)
Rep. Edward Hilbert (R)
Rep. Mike Jopek (D)
Rep. Carol Lambert (R)
Rep. Gary MacLaren (R)
Rep. Dave McAlpin (D)
Rep. Bill Nooney (R)
Rep. JP Pomnichowski (D)
Rep. John (Jack) W. Ross (R)
Rep. Chas Vincent (R)

Members Excused: Rep. Norma Bixby (D)

Members Absent: None.

Staff Present: Jeff Martin, Legislative Branch
Debra Polhemus, Committee Secretary

Audio Committees: These minutes are in outline form only. They provide a list of participants and a record of official action taken by the committee. The link to the audio recording of the meeting is available on the Legislative Branch website.

Committee Business Summary:

Hearing & Date Posted: SB 76, 3/1/2007
Executive Action: SB 21; SB 76; SB 99; SB 88
HB 746; HB 793; HB 799

HEARING ON SB 76

Opening Statement by Sponsor:

00:02:08 Sen. Kim Gillan (D), SD 24, opened the hearing on SB 76, Revise law on agency access to tax and revenue information.

00:02:36 Reps. Nooney, Jopek and Grinde left the hearing

Proponents' Testimony:

00:10:59 Dan Bucks, Director, Department of Revenue also speaking for the Governor's Office and the Governor's Budget Office

EXHIBIT (tah50a01)

00:28:52 Mary Whittinghill, Montana Taxpayers Association

Opponents' Testimony: None

Informational Testimony:

00:30:37 Clayton Schenk, Legislative Fiscal Analyst

Questions from Committee Members and Responses:

00:34:56 Rep. Cohenour
00:38:07 Chairman Lake
00:38:25 Judy Paynter, Office of Budget and Planning
00:38:49 Rep. Lambert
00:39:30 Rep. Butcher
00:40:40 Dan Bucks
00:41:10 Sen. Gillan
00:42:33 Rep. Erickson
00:47:01 Rep. Ross
00:49:09 Rep. Butcher
00:50:22 Clayton Schenk
00:54:44 Terry Johnson, Fiscal Analyst
00:57:51 Rep. Butcher
00:58:36 Mary Whittinghill
01:01:06 Chairman Lake
01:01:26 Rep. Butcher
01:02:08 Dan Bucks
01:03:30 Chairman Lake

Questions from Committee Members and Responses: (Con't)

01:04:55 Rep. Butcher
01:05:23 Chairman Lake
01:07:50 Rep. Butcher
01:08:19 Rep. Cohenour
01:09:10 Terry Johnson

01:10:03 Rep. Lambert left the hearing

Closing by Sponsor:

01:13:55 Sen. Kim Gillan

01:18:54 Break

01:40:59 Reconvene

EXECUTIVE ACTION ON SB 76

01:41:29 **Motion:** Rep. Ross moved that **SB 76 BE CONCURRED IN.**

Discussion:

01:41:49 Jeff Martin, Legislative Services Division
01:44:12 Rep. MacLaren
01:45:32 Rep. Cohenour
01:45:59 Jeff Martin
01:46:36 Rep. Cohenour
01:49:42 Rep. Butcher

01:50:01 Reps. MacLaren and Hilbert left the hearing

01:50:48 Rep. McAlpin

01:51:25 **Vote:** **MOTION CARRIED** unanimously by voice vote with Reps. Hilbert, Lambert, MacLaren, Nooney, Jopek, Grinde and Bixby voting by proxy. Rep. Cohenour will carry SB 76.

EXECUTIVE ACTION ON HB 799

01:52:54 **Motion:** Rep. Sonju moved that **HB 799 DO PASS.**

Discussion:

01:53:01 Jeff Martin

01:53:26 Without object, Rep. Sonju **WITHDREW THE MOTION.**

EXECUTIVE ACTION ON HB 746

01:53:57 **Motion:** Rep. Erickson moved that **HB 746 DO PASS.**

01:54:20 **Motion:** Rep. Erickson moved that **HB 746 BE AMENDED.**
EXHIBIT(tah50a02)

Discussion:

01:54:38 Rep. Erickson

01:56:06 Rep. Grinde returned to hearing

01:56:32 Jeff Martin

02:02:37 Rep. Erickson

02:04:12 **Vote:** **MOTION CARRIED** unanimously by voice vote with
Reps. Bixby, Jopek, Nooney, Lambert, Hilbert and
MacLaren voting by proxy.

02:04:23 **Motion/Vote:** Rep. Erickson moved that **HB 746 DO PASS**
AS AMENDED. MOTION CARRIED unanimously by voice vote
with Reps. Bixby, Jopek, Nooney, Lambert, Hilbert and
MacLaren voting by proxy.

EXECUTIVE ACTION ON SB 21

02:06:02 **Motion:** Rep. Sonju moved that **SB 21 BE CONCURRED IN.**

02:06:25 **Motion:** Rep. Cohenour moved that **SB 21 BE AMENDED.**
EXHIBIT(tah50a03)

Discussion:

02:06:45 Rep. Cohenour

02:07:28 **Vote:** **MOTION CARRIED** unanimously by voice vote with
Reps. Bixby, Jopek, Nooney, Lambert, Hilbert and
MacLaren voting by proxy.

02:07:58 **Motion/Vote:** Rep. McAlpin moved that **SB 21 BE**
CONCURRED IN AS AMENDED. MOTION CARRIED unanimously by
voice vote with Reps. Bixby, Jopek, Nooney, Lambert,
Hilbert and MacLaren voting by proxy. Rep. Kerns will
carry SB 21.

EXECUTIVE ACTION ON SB 69

02:10:19 **Motion/Vote:** Rep. McAlpin moved that **SB 69 BE CONCURRED IN. MOTION CARRIED** unanimously by voice vote with Reps. Bixby, Jopek, Nooney, Lambert, Hilbert and MacLaren voting by proxy. Rep. Sonju will carry SB 69.

EXECUTIVE ACTION ON SB 88

02:11:24 **Motion:** Rep. Erickson moved that **SB 88 BE CONCURRED IN.**

02:12:00 **Motion:** Rep. Ross moved that **SB 88 BE AMENDED. EXHIBIT (tah50a04)**

Discussion:

02:12:25 Rep. Ross
02:13:11 Rep. Butcher
02:14:06 Rep. Ross
02:14:48 Rep. Cohenour

02:15:20 **Vote:** **MOTION CARRIED** 15-3 by voice vote with Reps. Butcher, Sonju, and Vincent voting no and Reps. Bixby, Jopek, Nooney, Lambert, Hilbert and MacLaren voting by proxy.

02:15:59 **Motion/Vote:** Rep. Ross moved that **SB 88 BE CONCURRED IN AS AMENDED. MOTION CARRIED** unanimously by voice vote with Reps. Bixby, Jopek, Nooney, Lambert, Hilbert and MacLaren voting by proxy. Rep. Ross will carry SB 88.

EXECUTIVE ACTION ON SB 99

02:16:53 **Motion:** Rep. Sonju moved that **SB 99 BE CONCURRED IN.**

Discussion:

02:17:07 Rep. Butcher
02:17:49 Rep. Cohenour
02:18:50 Rep. Erickson
02:18:56 Rep. Ross
02:19:26 Rep. Sonju

02:19:35 **Vote:** **MOTION FAILED** 8-10 by roll call vote with Reps. Bixby, Cohenour, Erickson, Grinde, Hamilton, Jopek, McAlpin, and Pomnichowski voting aye and Reps. Bixby, Jopek, Nooney, Lambert, Hilbert and MacLaren voting by proxy.

02:20:33 **Motion/Vote:** Rep. Butcher moved that **SB 99 BE TABLED AND THE VOTE REVERSED. MOTION CARRIED** unanimously by voice vote with Reps. Bixby, Jopek, Nooney, Lambert, Hilbert and MacLaren voting by proxy.

EXECUTIVE ACTION ON HB 463

02:21:02 **Motion:** Rep. Erickson moved that **HB 463 DO PASS.**

Discussion:

02:21:47 Rep. Cohenour

02:21:54 Chairman Lake

02:22:29 Rep. Cohenour

02:23:41 Without objection, Rep. Erickson **WITHDREW THE MOTION.**

02:23:52 Chairman Lake

02:25:19 Rep. Hilbert arrived at hearing

EXECUTIVE ACTION ON HB 793

02:25:40 **Motion:** Rep. Sonju moved that **HB 793 DO PASS.**

Discussion:

02:25:51 Rep. Erickson

02:26:48 **Vote:** **MOTION FAILED** unanimously by voice vote with Reps. Bixby, Jopek, Nooney, Lambert and MacLaren voting by proxy.

02:27:27 **Motion/Vote:** REP. ERICKSON moved that **HB 793 BE TABLED AND THE VOTE REVERSED. MOTION CARRIED** unanimously by voice vote with Reps. Bixby, Jopek, Nooney, Lambert and MacLaren voting by proxy.

ADJOURNMENT

Adjournment: 10:30 A.M.

REP. BOB LAKE, Chairman

DEBRA POLHEMUS, Secretary

BL/dp

Additional Exhibits:

EXHIBIT ([tah50aad.pdf](#))